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JUN 16 2004

FACSIMILE COVER LETTER

To: Rozenia Harmon
Firm: USPTO *Q306*
Facsimile: 703-872-9036
From: Mark W. Russell
Date: June 16, 2004
Re: USSN 09/890,086
FLH Ref. No.: 514413-3884
Number of Pages: 5
(including cover page)

cc:

If you do not receive all pages or are unable to read the transmission, please call and ask for Michelle (Ext. 2197).

Dear Ms. Harmon:

Further to your June 15, 2004 telephone conversation with my secretary, enclosed are signed last pages of the Notice of Appeal and Petition Under 1.136(a), which were filed with the USPTO on May 24, 2004. Also, enclosed are the front pages of these documents in case they are needed.

Sincerely,

Mark W. Russell
Mark W. Russell
Reg. No. 37,514

CONFIDENTIALITY NOTICE

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

Document2

PATENT
514413-3884**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Gerhard SCHNABEL et al.

U.S. Serial No. : 09/890,086

Filing Date : November 26, 2001

For : FORMULATION OF HERBICIDES AND PLANT GROWTH REGULATIONS

Examiner : S. Mark Clardy

Group Art Unit : 1616

Confirmation No. : 6212

745 Fifth Avenue
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop 313(c), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 24, 2004.

Mark W. Russell, Reg. No. 37,514

(Name of Applicant, Assignee or Registered Representative)



Signature

May 24, 2004

Date of Signature

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Final Office Action dated January 23, 2004. Our check in the amount of \$330.00 is enclosed to cover the appeal fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §1.17(b).

The Notice of Appeal, in triplicate, is being filed concurrently with a Petition for

00195259

PATENT
514413-3884

Extension of Time pursuant to 37 C.F.R. §1.136(a).

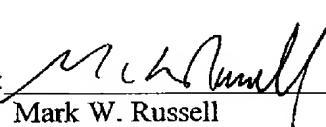
Please charge any additional payment, or credit any overpayment, to Deposit Account No.
50-0320.

This Notice is being filed in triplicate.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:


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